

**City of Harrington
MINUTES
City Council Meeting
July 20, 2015**

Public Comments

There were no Public Comments.

A meeting of the Harrington City Council was held at Harrington City Hall, 106 Dorman Street, on July 20, 2015 and was attended by the following: Mayor Anthony R. Moyer; Vice Mayor Duane E. Bivans; Council Member Fonda Coleman; Council Member Eric Marquis; Council Member Amy Minner; Council Member Charles W. Porter; Council Member Kenneth W. Stubbs; Norman Barlow, Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; Dean Gary, Accountant; and Kelly Blanchies, Clerk of Council.

Also present: Debbie Pfeil, AECOM, City Planner; Christine Hayward, Library Director; Denise Abbott; H. Cubbage Brown; Pat Smilth; Margie M. Conquest; Tina Smith; Elder Gene Smith; L. Ruth Hudson; Kyle King; Billy Combs; Betty Taylor; Marie Cunningham; Jennifer Antonik; Barb Bullock; Tina Hawkins; and Paul Lavell.

Mayor Moyer called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was given.

The Invocation was given by Chaplain Aubrey Brown.

Roll was called.

Mayor's Tribute to Christine Hayward for 35 years of service

Mayor Moyer presented Library Director Christine Hayward with a tribute for thirty-five (35) years of employment with the City.

Minutes

The Clerk of Council stated that the minutes for the June 15, 2015 City Council Meeting were not ready for approval.

Council Member Marquis stated that he would like to add the discussion of the additional signage on the June 8, 2015 City Council Workshop minutes. The

Clerk of Council stated that it was discussed at the June 15, 2015 City Council Meeting.

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to approve the minutes for the May 27, 2015 City Council Workshop, June 1, 2015 Swearing In Ceremony and City Council Organizational Meeting, June 8, 2015 City Council Workshop, and June 9, 2015 City Council Workshop as presented. The MOTION passed unanimously.

Financial Report

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to file the Financial Report for audit. The MOTION passed unanimously.

Old Business

Public Hearing

Ordinance 15-06 – Repealing and replacing Chapter 440, Zoning

A MOTION was made by Council Member Minner, seconded by Council Member Porter, to dispense with the reading of Ordinance 15-06. The MOTION passed unanimously.

There were no comments.

Ordinance 15-07 – Rezoning certain parcels and amending the Zoning Map

The City Planner stated that a request was received to not change the zoning from C-3 to C-1 on two parcels by the railroad tracks and recommended that they be removed from the ordinance. The parcel numbers are 6-09-170.20-04-02.00-000.01 and 6-09-170.20-04-03.00-000.01.

A MOTION was made by Council Member Minner, seconded by Council Member Porter, to dispense with the reading of Ordinance 15-07. The MOTION passed unanimously.

There were no comments.

Second Reading of Ordinance 15-06 – Repealing and replacing Chapter 440, Zoning

Mayor Moyer read Ordinance 15-06.

The City Planner stated that the consultants and City Manager recommend that the document stand as written. The new Zoning Code already allows for more signage than the current Zoning Code, the amount of signage is equal for small and large businesses, and the permitting process would be more complicated and costly if a percentage of frontage were used as a basis for signage. The City Manager stated that when compiling the Zoning Code, the U.S. Sign Code was used, and it was determined that the requirements were too cumbersome. Council Member Marquis stated that the City is hurting small businesses.

The City Planner stated that some tweaks to the Zoning Code will be needed.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to adopt Ordinance 15-06.

Council Member Porter stated that the City has already spent a lot of time and money on rewriting the Zoning Code. The major change of adding the Traditional Neighborhood Development was not even discussed by City Council.

Council Member Marquis stated that he would like corrections made to the Zoning Code as they come up and not have to wait quarterly to make changes. Vice Mayor Bivans asked if part of the motion is to allow discussion of changes at any time. The City Solicitor stated that is not necessary since the City Council is free to examine any ordinance.

Roll was called on the motion to adopt Ordinance 15-06: 6 Yes, 0 No (Bivans – Yes, Coleman – Yes, Marquis – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

The City Planner stated that work has started on the checklists and brochures for the new Zoning Code.

Mayor Moyer stated that he appreciates all the hours and work put into this project.

Second Reading of Ordinance 15-07 – Rezoning certain parcels and amending the Zoning Map

A MOTION was made by Council Member Minner, seconded by Council Member Porter, to dispense with the reading of Ordinance 15-07. The MOTION passed unanimously.

Mayor Moyer read the synopsis:

This Ordinance rezones the parcels listed as part of a comprehensive rezoning project to align property zoning to the Future Land Use Map adopted as part of the Comprehensive Land Use Plan. It also amends the Zoning Map for the City of Harrington to reflect the zoning changes.

Mayor Moyer stated that no one's zoning was changed that did not want to be changed.

The City Planner stated that property owners were notified. There were meetings with concerned property owners. The City will be changing the Future Land Use Map to match the parcels that were not rezoned.

A MOTION was made by Council Member Marquis, seconded by Council Member Minner, to adopt Ordinance 15-07 as amended with the removal of parcels 6-09-170.20-04-02.00-000.01 and 6-09-170.20-04-03.00-000.01. The MOTION passed unanimously.

Update on railroad station

The City Manager stated that Wade Sexton has responded that he is still looking for a third bid for the work on the railroad station. Vice Mayor Bivans stated that the railroad station is an eyesore, and the City would require corrective action from any resident of the City. The City Manager stated that the railroad is a federal entity, so the City has no jurisdiction over it. Council Member Minner stated that there is concrete crumbling there too.

Committee appointments

Mayor Moyer stated that he would like City Council to act as a whole but have Council Members as the following committee chairs:

Budget and Finance – Council Member Porter
Charter Review – Council Member Minner
Personnel – Vice Mayor Bivans
Utility – Council Member Stubbs

The City Solicitor stated that all six Council Members would attend the workshop, and the chair would guide the discussion for each topic.

A MOTION was made by Council Member Minner, seconded by Vice Mayor Bivans, to appoint the Council Committee Chairmen as presented. The MOTION passed unanimously.

Mayor Moyer stated that for the Ordinance Review Committee, it would be a committee of the whole with Council Member Marquis as the chairman and two stakeholders from the City as nonvoting members, Jeff Bowers and

William Brode. The City Solicitor stated that the nonvoting members would provide advice.

A MOTION was made by Council Member Minner, seconded by Council Member Stubbs, to accept the Ordinance Review Committee as presented. The MOTION passed unanimously.

Mayor Moyer stated that he would like to appoint Kathryn Blanchette to the Board of Adjustment. Board of Adjustment Chairman Danny Tartt thinks she would be a good fit, and she is willing to attend the Board of Adjustment class. The Board of Adjustment Member whose term just expired will be appointed to another committee in the future.

A MOTION was made by Council Member Minner, seconded by Council Member Marquis, to accept the appointment of Kathryn Blanchette to the Board of Adjustment.

Council Member Porter asked for a roll call vote.

Roll was called on the motion to accept the appointment of Kathryn Blanchette to the Board of Adjustment: 4 Yes, 1 No, 1 Abstain (Bivans – Yes, Coleman – Abstain, Marquis – Yes, Minner – Yes, Porter – No, Stubbs – Yes). The MOTION passed by majority. Council Member Coleman stated that she abstains because she does not know the person.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to appoint Aubrey Brown as the City Chaplain. The MOTION passed unanimously.

Mayor Moyer asked that the Library Fundraising Committee be tabled until the next meeting.

A MOTION was made by Council Member Coleman, seconded by Council Member Minner, to table the Library Fundraising Committee to the next meeting. The MOTION passed unanimously.

New Business

First Reading of Ordinance 15-08 – Amending Chapter 180, Municipal Fees, to add a fine for failing to obtain a rental inspection

Mayor Moyer read Ordinance 15-08.

Council Member Minner asked if there were a lot of people refusing to get a rental inspection. The City Manager stated that there are landlords paying for the license but not getting the inspection.

Council Member Minner asked to strike “fine” from “Failure to obtain a rental inspection fine, per month.”

A MOTION was made by Council Member Porter, seconded by Vice Mayor Bivans, to accept the first reading of Ordinance 15-08 as amended with the deletion of the word “fine” from Section 1. The MOTION passed unanimously.

Resolution 15-R-07 – Loan terms for USDA

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to suspend the reading of Resolution 15-R-07.

The City Manager stated that this loan was already approved by the City Council. It is five hundred twenty thousand dollars (\$520,000) for inflow and infiltration.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to accept Resolution 15-R-07. The MOTION passed unanimously.

Resolution 15-R-08 – Debt refinance

Council Member Porter stated that the City has had a town hall meeting regarding this refinance, and it will save the City money. Mayor Moyer stated that approving this refinance is the smart thing for the City to do, but people get scared when they hear the term referendum.

Council Member Minner stated that the savings will be used to improve the City’s infrastructure.

A MOTION was made by Council Member Porter, seconded by Council Member Marquis, to dispense with the reading of Resolution 15-R-08. The MOTION passed unanimously.

A MOTION was made by Council Member Porter, seconded by Council Member Marquis, to accept Resolution 15-R-08. The MOTION passed unanimously.

Part time or full time police officer

The Chief of Police stated that he wants to move toward community policing, and it will have a positive impact on the City. The consensus at the Workshop seemed to be in favor of a full time police officer. Mayor Moyer asked that the City Council support the Chief of Police’s request.

Vice Mayor Bivans stated that he would like a contract used for the new police officer.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept a full time police officer with a contract.

The Chief of Police stated that there were eleven police officers at Harrington Police Department in the 1990s.

Roll was called on the motion to accept a full time police officer with a contract: 6 Yes, 0 No (Bivans – Yes, Coleman – Yes, Marquis – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

Proclamation in recognition of the 80th anniversary of the Social Security Administration

Mayor Moyer read the proclamation.

Discussion of disorderly premises ordinance

The Chief of Police stated that there was an incident recently where a party had a couple hundred people attend. This ordinance would hold the home owner or manager responsible.

Council Member Porter asked if someone would have to get a permit to have a party. The City Solicitor replied no.

Council Member Porter asked if this would cause a person to be fined. The City Solicitor stated that they would have to pay the expenses incurred and penalties and requires compliance when a police officer tells them to disburse.

Vice Mayor Bivans asked if this ordinance would apply to people congregating in the street. The Chief of Police stated that it only applies to someone having a party and not controlling it; it holds people accountable.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to take the disorderly premises ordinance to the next workshop. The MOTION passed unanimously.

Public Comments

Marie Cunningham stated that the Kent County Committees act differently than the City's. It would help with the situation with the railroad if citizens contact their

Senators and Representative. Community policing is good, and the philosophy of community policing should be promoted throughout the police force. The street sweeper never gets in front of her house, because cars are parked there. Christine Hayward has provided terrific service to the people of Harrington.

City Council Comments

Council Member Porter thanked the people that worked on the new Zoning Code.

Council Member Minner received another compliment about the Public Works staff that responded to a brown water complaint.

Vice Mayor Bivans thanked those involved in the placing of roadblocks and signage to block trucks on Reese Avenue.

Executive Session

There was no Executive Session.

There being no further business, a MOTION was made by Council Member Porter, seconded by Council Member Minner, to adjourn the City Council Meeting. The MOTION passed unanimously, and the meeting adjourned at 8:18 p.m.

Respectfully Submitted,

Kelly Blanchies
Clerk of Council